

**Permitting & Assistance Branch Staff Report**  
Modified Solid Waste Facilities Permit for  
Oasis Sanitary Landfill  
SWIS No. 33-AA-0015  
June 20, 2013

**Background Information, Analysis, and Findings**

This report was developed in response to the Riverside County Department of Environmental Health's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed modified Solid Waste Facilities Permit (SWFP) for Oasis Sanitary Landfill, SWIS No. 33-AA-0015, located in Riverside County, and owned and operated by County of Riverside Waste Management Department. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on April 5, 2013. The new proposed permit was received on May 30, 2013. Action must be taken on this permit no later than July 29, 2013. If no action is taken by July 29, 2013, the Department will be deemed to have concurred with the issuance of the proposed modified SWFP.

**Proposed Project**

The following changes to the first page of the permit are being proposed:

	Current SWFP (2007)	Proposed SWFP
Total Permitted Area (in acres)	166.6	165.36
Remaining Capacity (cubic yards)	445,894 (Jan 07)	Removed
Design Capacity (cubic yards)	1,484,466	1,097,157
Estimated Closure Date	2021	September 2055

Other changes include:

1. Update to the Monitoring and Reporting Program for a revised groundwater monitoring frequency;
2. Update the LEA permit conditions;
3. Revise/update the Preliminary Closure Post-Closure Maintenance Plan cost estimates; and
4. Update the Joint Technical Document.

**Key Issues**

The proposed permit will allow for the following:

1. Correction of the total permitted area without any changes to the refuse footprint from 166.6 acres to 165.36 acres due to a recent survey;

2. Update the design capacity from 1,484,466 cubic yards to 1,097,157 cubic yards; and
3. Increase remaining site life from 2021 to 2055 to reflect calculations of the remaining airspace.

### **Findings**

Staff recommends concurrence in the issuance of the proposed modified SWFP. All of the submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated April 4, 2013, which was received by the Department on April 5, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on August 16, 2012. The LEA provided a copy to the Department as part of their permit submittal package received on April 5, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on May 30, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on April 5, 2013, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the Countywide Siting Element as described in the memorandum dated April 15, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(5) Preliminary or Final Closure/ Postclosure Maintenance Plans Consistency with State Minimum Standards	Engineering Support Branch staff in the Closure and Facility Engineering Unit found the Preliminary Closure/Postclosure Maintenance Plan is consistent with State Minimum Standards as described in their memorandum dated April 22, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(6) Known or Reasonably Foreseeable Corrective Action Cost Estimate	Engineering Support Branch staff in the Closure and Facility Engineering Unit found the written estimate to cover the cost of known or reasonably foreseeable corrective action activities is technically adequate as described in their memorandum dated May 31, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(A) Financial Assurances Documentation Compliance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Financial Assurances documentation in compliance as described in their memorandum dated April 10, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(7)(B) Operating Liability Compliance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Operating Liability in compliance as described in their memorandum dated April 10, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	Permitting and Assistance Branch and LEA staff found that the facility was in compliance with all operating and design requirements during an inspection conducted on April 17, 2013. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in the permit received on May 30, 2013, that the proposed permit is consistent with and supported by the existing CEQA documentation. See Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed modified SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

### **Compliance History**

Permitting & Assistance Branch staff accompanied the LEA on their monthly inspection on April 17, 2013, and the LEA found the facility to be in compliance with applicable state minimum standards and permit conditions.

Below are the details of the landfill's compliance history based on the LEA's monthly inspection reports during the last five years:

- 2013 (January – April) – No violations noted.
- 2009 - 2012 – One violation of 27 CCR Section 20690 - Alternative Daily Cover.

The violation was corrected to the satisfaction of the LEA.

### **Environmental Analysis**

Under the California Environmental Quality Act (CEQA), the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs on it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the Riverside County Waste Management Department, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts, and mitigation measures imposed on it.

The changes that will be authorized by the issuance of the proposed permit include: correct the total permitted acres from 166.6 acres to 165.36 acres; update the design capacity from

1,484,466 cubic yards to 1,097,157 cubic yards; and update the estimated closure date from 2021 to September 2055. These changes are supported by the following environmental document.

A Mitigated Negative Declaration (MND), State Clearinghouse No. 200610196, was circulated for a 30 day comment period from October 16, 2006 to November 14, 2006. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation Monitoring and Reporting Program. The MND, together with the Mitigation Monitoring and Reporting Program, was approved by the Lead Agency on December 12, 2006. The Riverside County Department of Environmental Health (LEA) has provided a finding that the proposed modified SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the MND as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed modified SWFP. Department staff has reviewed and considered the CEQA Findings adopted by the Lead Agency. Department staff further recommends the MND, together with the CEQA finding, is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed modified SWFP and all of its components and supporting documentation, this staff report, the MND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed modified SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

### **Public Comments**

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meetings on April 16, 2013, May 21, 2013 and June 18, 2013.